

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
Baltimore Division**

Ron L. Lacks, Personal Representative of
the Estate of Henrietta Lacks,

Plaintiff,

v.

Ulragenyx Pharmaceutical, Inc.,

Defendant.

Case No. 1:23-cv-2171

NOTICE OF CONSTITUTIONAL QUESTION

Defendant Ulragenyx Pharmaceutical, Inc. (“Ulragenyx”) respectfully files this notice of constitutional question with the Court and gives notice to Anthony G. Brown, Attorney General of Maryland (the “Attorney General”), in accordance with Federal Rule of Civil Procedure 5.1(a).

In support of this Motion, Ulragenyx states as follows:

1. Ulragenyx is today filing in the above-captioned matter a motion for judgment on the pleadings under Federal Rule of Civil Procedure 12(c) (the “Motion”).
2. The Motion questions the constitutionality of Section 5-204 of the Maryland Code on Courts and Judicial Proceedings.
3. Specifically, the Motion argues that Section 5-204 violates the Commerce Clause because it discriminates against out-of-state corporations who have not registered with the State of Maryland, barring them from invoking statutes of limitations in their defense to suits in this State.
4. Neither the State nor one of its agencies or any of its officers or employees are parties to this suit.

5. Ultragenyx will today provide this Notice and a copy of the Motion and supporting Memorandum of Law to the Attorney General at his designated email address, civil_service@oag.state.md.us, in accordance with Rule 5.1(a)(2).

6. The Attorney General has 60 days from receipt of this notice to intervene in this matter.

Respectfully submitted,

/s/_____

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